**AMENDMENTS TO THE CLAIMS WITH MARKINGS TO SHOW CHANGES MADE,
AND LISTING OF ALL CLAIMS WITH PROPER IDENTIFIERS**

1.-34 (Canceled).

35. (Currently amended) An impacting instrument for action on a movable object, comprising:

   a handling part;

   an impact part which enters into dynamic operative contract with the object during active use;

   an actuating part having a length and a center and a first end coupled to the impact part and a second end coupled to the handling part, said actuating part comprising a plurality of active elements <u>having centers, wherein the centers of the active elements</u> [[which]] are arranged between the first end and the second end at uniformly spaced locations, with a spacing between the <u>centers of the active elements</u> ~~locations~~ and between a <u>center of the active elements</u> ~~location~~ and an adjacent end, respectively, following a harmonic series l/n, wherein l is the length of the actuating part, and n is an integer index $n \geq 2$.

36. (Currently amended) The impacting instrument of claim 35, wherein the <u>centers of the</u> active elements are placed at locations defined by two or more harmonic series l/n having a different integer index $n \geq 2$.

37. (Previously presented) The impacting instrument of claim 35, wherein an active element differs from an adjacent active element by at least one physical parameter selected from the group consisting of mass, mass density, stiffness and damping.

38. (Previously presented) The impacting instrument of claim 35, wherein the active elements are formed over less than the length of the actuating part.

39. (Previously presented) The impacting instrument of claim 35, wherein the actuating elements are formed by applying an additional element on or over the actuating part at the predefined locations.

40. (Withdrawn) The impacting instrument of claim 35, wherein the actuating elements are formed by removing material from the actuating part at the predefined locations.

41. (Withdrawn and amended) The impacting instrument of claim 35, wherein the actuating elements have a substantially equal length independent of [[their]] the location of the centers of [[on]] the actuating elements [[part]].

42. (Previously presented) The impacting instrument of claim 35, comprising at least five actuating elements.

43. (Previously presented) The impacting instrument of claim 39, wherein the actuating element comprises at least one layer of a granulate, lacquer or film coating.

44. (Withdrawn) The impacting instrument of claim 39, wherein the additional element has lengthwise extending recesses.

45. (Withdrawn) The impacting instrument of claim 40, wherein the material is removed along lengthwise extending recesses.

46. (Previously presented) The impacting instrument of claim 39, wherein the additional element comprises a metal.

47. (Previously presented) The impacting instrument of claim 35, wherein the impacting instrument is a hockey stick.

48. (Previously presented) The impacting instrument of claim 35, wherein the impacting instrument is a golf club.

49. (Previously presented) The impacting instrument of claim 35, wherein the impacting instrument is a baseball bat.

50. (Withdrawn) An impacting instrument for action on a movable object, comprising:

    a handling part;

    an impact part which enters into dynamic operative contact with the object during active use; and

    an actuating part having a length and a center and a first end coupled to the impact part and a second end coupled to the handling part, said actuating part being comprising a plurality of active elements which are arranged between the first end and the second end at predefined locations selected such that a length of successive actuating elements or a distance between successive actuating elements measured from the first end to the second end, or from the second end to the first end, or from both the first and the second end towards the center, is given by terms of a geometric series $\ell \cdot x^n$, wherein ℓ is the length of the actuating part, x is a number <1 and n is an integer index of the successive actuating elements.